

# U.S. to Drop Seale's Contempt Charges

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The Justice Department announced yesterday that it would drop contempt-of-court charges against Black Panther leader Bobby G. Seale, rather than reveal the contents of electronic surveillance that apparently overheard his voice while he was in jail.

James R. Thompson, U.S. Attorney in Chicago, told the Seventh U.S. Circuit Court of Appeals there that "it would be inimical to our national security interests" to disclose the wiretapping logs as ordered by that court in a decision last May.

The contempt charges, made

by U.S. District Court Judge Julius J. Hoffman during the tumultuous "Chicago Seven" conspiracy trial in 1969-70, were the last ones pending against Seale.

After 21 months in prison and two trials, Seale was freed on bond in May, 1971. He has since declared that he will run for mayor of Oakland, Calif., in that city's municipal elections next year.

Seale was sentenced to four years in prison by Judge Hoffman on the contempt charges, before he was severed from the Chicago trial which stemmed from antiwar demonstrations at the 1968 Demo-

cratic National Convention there.

The contempt charges arose out of Seale's insistence on the right to represent himself and his repeated declarations in court that the judge was "a racist, fascist pig." At one point, Hoffman ordered Seale bound and gagged, an action which attorneys in the case asserted only provoked further courtroom disruptions.

After the "Chicago Seven" jury acquitted five defendants on the conspiracy charges, the government dropped that charge against Seale, "in the interests of justice," rather than try him separately.

The appellate court in Chi-

cago has still not ruled on a defense appeal of the conviction of five of the seven on charges of crossing state lines with intent to riot.

But last May it overturned the contempt sentences given Seale, all seven other defendants and two of their lawyers, William M. Kunstler and Leonard I. Weinglass, ordering that a judge other than Hoffman must hear the contempt charges.

At the same time, the appellate court said that since the government had acknowledged surveillance of Seale "relevant" to the contempt charges, it would have to turn the wiretap logs over to the

defense or drop the contempt case.

A. William Olson, assistant attorney general in charge of the Justice Department's Internal Security Division, said yesterday that Seale was overheard in a non-court-authorized "national security" wiretap, of the sort banned by the Supreme Court last summer.

The Justice Department has now dropped almost a dozen cases against antiwar militants and others, rather than turn over wiretap logs to defendants as required by the Supreme Court decision.

Since the Seventh Circuit Court found that only Seale

has standing to raise a complaint against the wiretapping, the nine other persons convicted of contempt by Hoffman during the Chicago trial are still scheduled to be retried. The Justice Department has asked that a judge from outside the Chicago area be named to hear those cases.

In the other major case that had been pending against Seale, a Connecticut judge dismissed murder and kidnap charges in May, 1971, ruling that it would be "impossible" to choose a new jury to replace the one that was unable to reach a verdict in the killing of another Black Panther.